
STATUTORY INSTRUMENTS

2000 No. 516

The Community Legal Service (Financial) Regulations 2000

PART III—

THE STATUTORY CHARGE

Enforcement of statutory charge

52.—(1) The Commission may postpone the enforcement of the statutory charge where (but only where):

- (a) by order of the court or agreement it relates to property to be used as a home by the client or his dependants, or, where the relevant proceedings were family proceedings, to money to pay for such a home;
- (b) the Commission is satisfied that the property in question will provide such security for the statutory charge as it considers appropriate; and
- (c) as soon as it is possible to do so, the Commission registers a charge under the Land Registration Act 1925⁽¹⁾ to secure the amount in regulation 43 or, as appropriate, takes equivalent steps (whether in England and Wales or in any other jurisdiction) to protect its interest in the property.

(2) Where the client wishes to purchase a property in substitution for the property over which a charge is registered under paragraph (1)(c), the Commission may release the charge if the conditions in paragraph (1)(b) and (c) are satisfied.

(3) Where the enforcement of the statutory charge is postponed, interest shall accrue for the benefit of the Commission in accordance with regulation 53.

(4) Without prejudice to the provisions of the Land Registration Act 1925 and the Land Charges Act 1972⁽²⁾, all conveyances and acts done to defeat, or operating to defeat, any charge shall, except in the case of a bona fide purchaser for value without notice, be void as against the Commission.

(1) 1925 c. 21.

(2) 1972 c. 61.